

REMARKS

Claims 1-27 were examined. In the instant Office Action the Examiner has raised several issues, which are set forth below in the order they are herein addressed:

- 1) Specification is objected to for allegedly failing to provide an abstract presented on a separate sheet;
- 2) Claims 2, 15 and 25 are objected to as allegedly being informal;
- 3) Claims 1, 11-14, and 27 stand rejected under 35 U.S.C. § 102(e), as allegedly anticipated by Publication No. US 2003/0227386 of Pulkkinen *et al.* (Pulkkinen);
- 4) Claims 2-4 and 15-19 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen, in view of Publication No. US 2002/0188509 of Ariff *et al.* (Ariff); and
- 5) Claims 5-10 and 21-26 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen, in view of Ariff, and in further view of U.S. Patent No. 7,024,154 by Koepper *et al.* (Koepper).

Although Applicant respectfully disagrees with these rejections, Applicant hereby amends Claims 1, 2, 11, 15, 25 and 27, in order to further the prosecution of the present application and Applicant's business interests, yet without acquiescing to the Examiner's arguments, while reserving the right to prosecute the original, similar, or broader claims in one or more future application(s). The amendments do not introduce new matter.

1) Specification Is Proper

The Examiner has objected to the Specification as allegedly failing to provide an abstract presented on a separate sheet (Office Action, page 3). As suggested by the Examiner, Applicant hereby provides a new abstract presented on a separate sheet apart from any other text (except for the Abstract heading). Support for this amendment is found on the cover page of the related International Application No. PCT/AU2004/000353, published as WO 2004/084102. As the amended Specification is proper, Applicant respectfully requests that this objection be withdrawn.

2) The Claims Are Definite

The Examiner has objected to Claims 2, 15 and 25 as allegedly being informal for use of

“look up” instead of “look-up” (Office Action, page 3). As suggested by the Examiner, Applicant has amended Claims 2, 15 and 25 to recite “look-up.” As the amended claims are formal, Applicant respectfully requests that this objection be withdrawn.

3) The Claims Are Novel Over Pulkkinen

The Examiner has rejected Claims 1, 11-14 and 27 under 35 U.S.C. § 102(e), as allegedly anticipated by Publication No. US 2003/0227386 of Pulkkinen *et al.* (Pulkkinen). The Examiner states that

[r]egarding claim 1, Pulkkinen clearly shows and discloses a method of processing data for the administration of an organization [0024], the method including steps of generating element data ... [0034]; recording activity data ... [0042]; writing the element data ... [0054]; associating activity codes with the element data ... [0054]; retrieving the element data and the activity data from the database using the activity codes as keys for such retrieval ... [0057]; and applying predetermined algorithms to the element data and the activity data ... [0048] to generate reports related to workplace activities associated with the workplace elements ... [0062].

Regarding [claims 11 and 27], Pulkkinen clearly shows and discloses an apparatus [and a computer] for processing data for the administration of an organization [0024], the apparatus including: a data storage device storing element data ... [0051]; at least one recordal device that is configured to record activity data ... [0042]; at least one computer that is operable on the data storage device, is connected to the or each recordal device ...[0048, 0054, 0057 and 0062] (Office Action, pages 3-11).

Applicant respectfully disagrees that Pulkkinen anticipates the claims. Even so, Applicant has amended Claims 1, 11 and 27, in order to further the prosecution of the present application and Applicant’s business interests, yet without acquiescing to the Examiner’s arguments, while reserving the right to prosecute the original, similar, or broader claims in one or more future application(s). In particular, Claims 1, 11 and 27 have been amended to recite “unique activity codes.” Support for this amendment can be found throughout the Specification including the teaching “that the activity codes are unique and independent” (Specification, page 23, lines 11-25).

Pulkkinen is directed to a system for collecting location information in a tracking environment. In particular, a first energy signal identification badge is described for detecting trigger signals and transmitting identification data signals indicating an existence of a proximity

condition between the first badge and a source of the trigger signals [Abstract]. Pulkkinen describes a controller coupled to sensors, identification badges, and monitoring equipment in a tracking environment. The badges are implemented using IR or RF transceivers, while the sensors are *“positioned at strategic, predetermined locations throughout a tracking environment”*. The activity data referred to in Pulkkinen relates to signals representative of physiological conditions measured by equipment and the identities of the patients and caregivers [0025]. Thus, Pulkkinen is restricted to monitoring the movement of transceivers in a constrained environment defined by the predetermined locations of sensors. Pulkkinen does not capture data at the point of use rather Pulkkinen captures data when badges come into proximity of a reader/sensor. Further, Pulkkinen refers to activity data based on the assumption that if a caregiver and a patient are detected in a certain area, as defined by the sensors, then a certain activity is occurring. The reality is that many different types of activity can occur contemporaneously within close proximity of each other.

Applicant respectfully submits that Pulkkinen neither describes nor suggests the unique activity codes of the amended claims. In paragraph [0054] identified by the Examiner, Pulkkinen describes storing measurement data sourced from medical equipment 20 and a transmitter 19. The measurement data is stored in a database record, which is indexed by source and time and cross-referenced by patient and caregiver, as suitable and available. This provides a table that facilitates the tracking of sensors through the tracking environment. Pulkkinen provides limited cross-referencing between patients and caregivers if they are in the same location at the same time, as location and time are the only indices in the table. If many patients and caregivers are located within close proximity to a sensor at the same time, they will all appear together in results returned from the table, as the location and time are the only indices.

In contrast, Claim 1 provides unique and independent activity codes that are associated with the element data and activity data to provide a ready mechanism for correlating information relating to a given, physical workplace activity. The activity codes are then used to facilitate the retrieval of required element data and activity data for the purposes of generating reports relating to workplace activities, thus providing an enhanced method for administering an organization. For example, an activity code may be associated with element data and activity data relating to a particular medical procedure. Table 90 of Fig. 9A of the present application shows a workplace activity associated with a single location, TH1 (theatre no. 1), a single patient (i.d. 12345), no

operation (NULL) a number of general items, a start time of 08: 22: 00 on 31 January 2003 and a finish time of 08: 45: 23 on 31 January 2003. The activity code enables all data relating to that particular procedure to be retrieved at a later date to generate reports to facility the administration of the organization.

Further, Pulkkinen does not distinguish between element data and activity data. Pulkkinen records a single type of “activity data”, which relates to signals representative of physiological conditions measured by equipment and the identities of the patients and caregivers [0025]. The “activity data” of Pulkkinen appears to refer to time-stamped element data. In contrast, the present claim distinguishes between element data representing details of workplace elements and activity data associated with the workplace elements. The unique activity codes are then utilized to associate the element data and the activity data, thus providing a means of correlating information relating to a given, physical workplace activity. As Pulkkinen does not provide element data and activity data, there is no way that Pulkkinen can associate a unique activity code with such element data and activity data.

As discussed above with reference to Claim 1, Pulkkinen describes the storage of information in a table, wherein the information is indexed by source and time. The information relates to the tracking of badges through a series of sensors at predetermined locations. Pulkkinen does not describe the generation of unique activity codes that are associated with activity data, wherein the activity data is associated with workplace elements, as provided in independent Claims 11 and 27. Rather, Pulkkinen merely records a non-unique time and place as one or more objects pass a given sensor at a recorded time.

As the amended claims contain elements that are not taught or suggested by Pulkkinen, Applicant contends that the amended claims are novel and accordingly respectfully requests that this rejection be withdrawn.

4) The Claims Are Patentable Over Pulkkinen In View of Ariff

The Examiner has rejected Claims 2-4 and 15-19 under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen, in view of Publication No. US 2002/0188509 of Ariff *et al.* (Ariff). The Examiner states that

[r]egarding claims 2, and 15, Pulkkinen does not disclose building/storing a registration database that includes at least one look up table that stores element

codes and the element data such that each element code represents a predetermined component of the element data associated with that element code.

Ariff discloses the SKU lookup table is created when detail database receives and stores retailer data. Each retailer data table may comprise a plurality of fields, such as “SKU” and “product description” and a plurality of records, each record corresponding to an item offered by a participating retailer. For each record stored in the retailer data table, detail database then generates, assigns, and stores as part of the record a standard identifier. The standard identifier uniquely identifies an item stored in the data table and is linked to the SKU that is also associated with that item [0138].

It would have been obvious to a person with ordinary skills in the art at the time of the invention to incorporate the teachings of Ariff with the teachings of Pulkkinen for the purpose of facilitating data analysis regarding each of the individual members of a group, thereby enhancing the ability to reach these individual members [0012] (Office Action, page 12).

Applicant respectfully disagrees that the claims are unpatentable over Pulkkinen in view of Ariff. In contrast to Pulkkinen, which is related to a system for collecting location information in a tracking environment (US class 340), Ariff relates to purchaser incentive and awards redemption programs and describes a system for implementing a loyalty program on a network-wide level (US class 705). As such one of skill in the art would be unlikely to combine Pulkkinen and Ariff.

Even so, Claim 2 depends from Claim 1 and Claim 15 ultimately depends from Claim 11, both further providing the step of building a registration database that includes at least one look-up table that stores element codes and the element data such that each element code represents a predetermined component of the element data associated with that element code. As described above in Section 3, Applicant submits that Pulkkinen does not distinguish between element data and activity data and fails to teach or suggest the use of unique activity codes to associate the element data and the activity data. Thus, even if Pulkkinen were combined with Ariff in the manner suggested by the Examiner, Applicant submits that such a combination would not arrive at the invention of Claims 2-4 and 15-19. In particular, such a combination would not arrive at a method of processing data which generates element data representing details of workplace elements and records activity data associate with the workplace elements by recording the element data during workplace activities associated with the workplace elements and, builds a registration database that includes at least one look-up table that stores element codes and the element data such that each element code represents a predetermined component of the element

data associated with that element code. Since Pulkkinen does not teach or suggest all elements of independent Claims 1 and 11, and since Ariff does not remedy this deficiency, dependent Claims 2-4 and 15-19 are not obvious in light of the combination of Pulkkinen and Ariff. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

5) The Claims Are Patentable Over Pulkkinen In View of Ariff And Koepper

The Examiner has rejected Claims 5-10 and 21-26 under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen, in view of Ariff, and in further view of U.S. Patent No. 7,024,154 by Koepper *et al.* (Koepper). The Examiner states that

[r]egarding claims 5 and 21, Pulkkinen and Ariff do not disclose the step of generating a delimited text file for each activity, with the element codes, the activity code and the defining parameters of that activity, to define the intermediate file, such that each field of the delimited text file contains one variable element code, the activity code and the remaining codes.

Koepper discloses the master database begins a transfer session, thereby creating a comma delimited text file that is then automatically imported into the master database. The format of the comma delimited text file may be: Company, Social Security Number, Course, Course Title, Date, Course Category. The comma delimited text file is then imported into the master database as a separate table [Koepper, Column 6, Lines 55-62].

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the teachings of Koepper with the teachings of Pulkkinen, as taught by Ariff, for the purpose of administration and importation of on-line training records [Koepper, Column 5, Lines 18-25] (Office Action, pages 15 and 16).

Applicant respectfully disagrees that the claims are unpatentable over Pulkkinen in view of Ariff and in further view of Koepper. In contrast to Pulkkinen, which is related to a system for collecting location information in a tracking environment (US class 340), Ariff relates to purchaser incentive and awards redemption programs and describes a system for implementing a loyalty program on a network-wide level (US class 705), while Koepper related to a method of processing training data (US classes 434 and 707). As such one of skill in the art would be unlikely to combine Pulkkinen, Ariff and Koepper.

Even so, Claim 5 ultimately depends from Claim 1 while Claim 21 ultimately depends from Claim 11, and introduces the step of generating a delimited text file for each activity, with the element codes, the activity code and the defining parameters of that activity, to define the

intermediate file, such that each field of the delimited text file contains one variable element code, with activity code and the remaining element codes. As discussed above in Sections 3 and 4, Pulkkinen does not distinguish between element data and activity data and fails to teach or suggest the use of unique activity codes to associate the element data and the activity data. Rather, Pulkkinen appears to record information merely as data relating to an element. In particular, while Pulkkinen discloses that care events may be recorded in connection with a patient [0026], there is no definition of separate activity data or allocation of activity codes to provide a means of correlating information relating to a workplace activity.

Moreover as conceded by the Examiner, Pulkkinen and Ariff do not disclose the new feature of Claims 5 and 21. Likewise, while Koepper apparently describes the creation of a comma delimited text file for importing data into a master database, Koepper does not disclose a delimited text file being created for each activity. Koepper also fails to disclose that each field of the delimited text file contains one variable element code, the activity code and the remaining element codes. Thus, even if Pulkkinen was combined with Ariff and Koepper in the manner suggested by the Examiner, Applicant submits that such a combination would not arrive at the invention of Claims 5-10 and 21-26. As the claims are not obvious in light of the combination of Pulkkinen, Ariff and Koepper, Applicant respectfully requests that this rejection be withdrawn.

CONCLUSION

Applicant believes the arguments and amendments set forth above traverse the Examiner's rejections and, therefore requests that a timely Notice of Allowance be issued in this case. However, should the Examiner believe a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned collect.

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